

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EON CORP. IP HOLDING, LLC

Plaintiff,

vs.

T-MOBILE USA, INC. ET AL

Defendant.

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**CASE NO. 6:10-CV-379
PATENT CASE**

ORDER

Before the Court are the following motions:

- Docket No. 105, Wal-Mart's Motion to Dismiss Second Amended Complaint;
- Docket No. 107, Nokia's Motion to Dismiss Second Amended Complaint;
- Docket No. 111, Alcatel-Lucent USA's Motion to Dismiss Second Amended Complaint;
- Docket No. 118, Amazon.com's Motion to Dismiss Second Amended Complaint; and
- Docket No. 121, D-Link Systems, Inc.'s Motion to Dismiss Second Amended Complaint;

After Defendants filed the above motions, Plaintiff filed a Third Amended Complaint. Each Defendant has filed a notice acknowledging that Plaintiff's filing rendered their motions moot (*See* Docket Nos. 167, 168, 169, 170, and 197). In light of Plaintiff's Third Amended Complaint, the above motions are **DENIED** as **MOOT**.

As Nokia recognized in its Notice, Rule 3-1 disclosures are far more detailed than Rule 8's pleading requirements. Thus, Defendants will receive greater specificity than what they sought in these motions, rendering the motion superfluous for all practical purposes. The Court strongly

encourages the parties to try this case on the merits and not unnecessarily burden the Court with technical issues that lack practical substance.

Accordingly, Docket Nos. 105, 107, 111, 118, and 121 are **DENIED** as **MOOT**.

So ORDERED and SIGNED this 7th day of December, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE